

The following listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (Canceled).

Claim 2 (Previously presented): An apparatus for applying surgical fasteners comprising:
an elongated member having a proximal portion and a distal portion, and defining a longitudinal axis;

a staple storage portion attached to the distal portion of the elongated member and adapted for storing at least one surgical fastener, the staple storage portion being movable throughout a plurality of positions including a first position that is substantially aligned with the longitudinal axis and a second position that is axially offset from the longitudinal axis;

a control member spaced from the distal portion for rotating the elongate member about the longitudinal axis, the control member being movable from a first position to a second position to effect movement of the staple storage portion from its first position to its second position;

an advancing mechanism configured to advance the at least one surgical fastener distally through the staple storage portion, the advancing mechanism being operable to advance the at least one surgical fastener in each position of the plurality of positions; and

an anvil configured to close the at least one surgical fastener.

Claim 3 (Previously presented): The apparatus of claim 2 further including a frame, the frame having a handle portion having a stationary member and a handle member, the handle member being pivotable with respect to the stationary member and operatively associated with the advancing mechanism.

Claim 4 (Previously presented): The apparatus of claim 3, wherein pivotable movement of the handle member to a first position advances the at least one surgical fastener such that at least a portion of the at least one surgical fastener exits the staple storage portion.

Claim 5 (Previously presented): The apparatus of claim 3, wherein pivotable movement of the handle member to a second position advances the at least one surgical fastener such that the at least one surgical fastener engages the anvil thereby forming a closed surgical fastener.

Claim 6 (Previously presented): The apparatus of claim 2, wherein the staple storage portion includes a staple cartridge and a staple support member.

Claim 7 (Previously presented): The apparatus of claim 6, wherein the staple cartridge is removably attached to the staple support member.

Claim 8 (Previously presented): An apparatus for applying surgical fasteners comprising:
an elongated member having a proximal portion and a distal portion, and defining a longitudinal axis;
a staple storage portion attached to the distal portion of the elongated member and

adapted for storing at least one surgical fastener, the staple storage portion being movable throughout a plurality of positions including a first position that is substantially aligned with the longitudinal axis and a second position that is axially offset from the longitudinal axis;

a control member located in the proximal portion of the elongated member, the control member being rotatable to effect rotation of the elongate member, the control member being movable along the longitudinal axis from a first position to a second position to effect movement of the staple storage portion throughout the plurality of positions;

an advancing mechanism configured to advance the at least one surgical fastener distally through the staple storage portion, the advancing mechanism being operable to advance the at least one surgical fastener in each position of the plurality of positions; and

an anvil configured to close the at least one surgical fastener.

Claim 9 (New): The apparatus of claim 2, wherein the control member's second position is longitudinally spaced from the control member's first position.

Claim 10 (New): The apparatus of claim 8, wherein the plurality of positions of the staple storage portion includes a first position that is aligned with the longitudinal axis and a second position that is axially offset from the longitudinal axis;